

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3 DARIAN MANUEL POWELL, No. C 12-05985 YGR (PR)
4 Petitioner,
5 v.
6 MULE CREEK STATE PRISON,
7 Respondent.

ORDER OF DISMISSAL

8
9 On November 26, 2012, Petitioner, a state prisoner, filed an unsigned petition for a writ of
10 habeas corpus pursuant to 28 U.S.C. § 2254. On the same day the action was filed the Clerk of the
11 Court sent a notice to Petitioner informing him that his action could not go forward until he signed
12 his petition within thirty days or his action would be dismissed. He was also sent another notice
13 directing him to either pay the filing fee or file a completed prisoner's *in forma pauperis* (IFP)
14 application. The Clerk sent Petitioner a blank IFP application and told him that he must pay the fee
15 or return the completed application with the requisite documents within thirty days or his action
16 would be dismissed.

17 On December 17, 2012, Petitioner filed his IFP application and prisoner trust account
18 statement; however, he did not sign his petition or file his certificate of funds.

19 More than thirty days have passed, and Petitioner has not filed a signed petition or his
20 certificate of funds. Accordingly, this action is DISMISSED WITHOUT PREJUDICE. Because the
21 Court has already provided Petitioner with an opportunity to correct the deficiencies in his initial
22 filing, the Court does not grant any further leave to amend.

23 The Clerk shall enter judgment and close the file.

24 IT IS SO ORDERED.

25 DATED: February 13, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE